

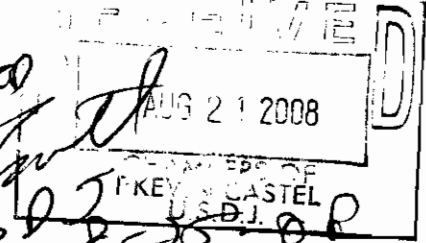
**MEMO ENDORSED**

*He has not written to  
 review his response to the motion  
 he may do so by September 26.  
 Any reply will be  
 due by September 26.*

AUGUST 15, 2008

*SO ORDERED*

HONORABLE, JUDGE: P. KEVIN CASTEL  
 07 CIV. 8268 (PKC)



Hello, your Honor! I am in receipt of the letter that you sent to me, informing me that my request for an amended complaint was denied. But you stated that I should set forth the text in a response to the motion that was sent to me. Your Honor, unfortunately I sent my response to the motion out before I received the letter from you. I do see that more time was given, but I am not sure of what should be done since the motion have been sent out already. I could have used that avenue to further reinforce my case. I just thought that I would be allowed to amend my complaint without prejudice since I am representing myself and was allowed to do so in the Eastern District. Your Honor, would you allow me to amend my response to the motion to dismiss, I do have additional information I would like to add and would have done so if I had not rushed to get it back to the defendants counselor on time.

THANK YOU

BENJAMIN W. MITCHELL JR

DIN: 07A5226 12-C2-32T

*B Mitchell*

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>8/25/08</u>

Returned to chambers for scanning on 8.26.08  
 Scanned by chambers on \_\_\_\_\_

*8/25/08 Copies mailed*

MICROFILMED

AUG 25 2008 -3 00 PM